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Attorneys for Plaintiff
KIARA ROBLES

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

KIARA ROBLES,

Plaintiff,

v.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, BERKELEY, et al.

Defendants.

Case No.: 4:17-cv-04864-CW

**PARTIAL OPPOSITION DEFENDANT
RAHA MIRABDAL'S MOTION TO
ACCEPT LATE FILED MOTION TO
DISMISS**

**Date: September 18, 2018
Time: 2:30 pm**

Plaintiff Kiara Robles ("Plaintiff"), through her counsel Mr. Larry Klayman ("Mr. Klayman") submits the following in partial opposition to Defendants Raha Mirabdal's ("Mirabdal") Motion to Accept Late Filed Motion to Dismiss.

Plaintiff consents to Mirabdal's filing of a late answer to Plaintiff's Amended Complaint, given the fact that such a filing would not require additional time for this Court to review and decide on its merits, and would allow this case to proceed to discovery. This is important, since this matter was filed approximately one year ago, and Plaintiff's case is still in the motion to

1 dismiss stage.

2 On the other hand, allowing Mirabdal to file a late motion to dismiss further prejudices
 3 Plaintiff, as it will tie up additional time and resources that could be spent moving this case
 4 forward. Indeed, the calendar date for this instant motion for leave to file late is September 18,
 5 2018, two whole weeks after the calendar date for Mirabdal's action motion to dismiss Plaintiff's
 6 Amended Complaint. Furthermore, while counsel for Mirabdal may have inadvertently
 7 mismarked the due date for her motion to dismiss, she had notice of this error as early as July 24,
 8 2018, ECF No. 71, 3:21-23, yet still waited another thirteen (13) days to ask this Court for leave
 9 to retroactively file late.

10 Plaintiff respectfully requests that this Court not reward Mirabdal's dilatory conduct and
 11 allow this case to proceed to discovery. Plaintiff consents to allow Mirabdal to file an answer to
 12 the Amended Complaint so that she will not suffer the prejudice of defaulting. This would
 13 simply allow this case to move forward in a timely fashion.

14 DATED: August 7, 2018

Respectfully submitted,

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24 */s/ Larry Klayman*

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